



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

MONDAY, SEPTEMBER 19, 2022

BPH Agenda Webpage: <https://www.cdcr.ca.gov/bph/meeting-agenda/>

NOTICE OF VIRTUAL MEETING

Pursuant to Senate Bill 189, which became effective on June 30, 2022, the Board of Parole Hearings has arranged for Board commissioners, interested parties, and members of the public to participate virtually in the September 19 and 20, 2022 Executive Board Meeting. **There will be no option to attend the meeting physically in person.**

To ensure successful participation in the meeting, members of the public are encouraged to go to the Board's webpage at <https://www.cdcr.ca.gov/bph/meeting-agenda/> and review the documents titled "Public Comment Videoconference Tips for Success and Troubleshooting" and "How to Join a MS Teams Executive Board Meeting."

To join the meeting by video, use a computer or mobile device to access this link: <https://tinyurl.com/BPHSept2022>. The Board utilizes Microsoft Teams for virtual participation, which may require the user to download the application. Participants should refer to the "How to Join a MS Teams Executive Board Meeting" document on the Board's agenda webpage for further instructions. **TO MINIMIZE DISRUPTION, PLEASE LOG INTO THE MEETING AT LEAST FIVE (5) MINUTES EARLY.**

To join the meeting by telephone, dial (916) 701-9994 and enter the following phone conference ID code when prompted: 520 739 063#

Those wishing to speak are encouraged to complete and submit a speaker card before the meeting to Sylvia.Paredes@cdcr.ca.gov. The speaker card is available on the Board's website at <https://www.cdcr.ca.gov/bph/meeting-agenda/>. You may also call (916) 322-4752 to register your speaker information. If the telephone number goes to voicemail, please leave the information on the recording so the

moderator may appropriately identify you when it is your time to speak. You may submit the speaker card any time after this agenda is posted.

Public comment may also be submitted in writing and should be emailed to BPHEXE.BRDMEETING@cdcr.ca.gov. Written comments for en banc cases to be heard September 19, 2022, must be received by 10:00 a.m. on September 19, 2022, to ensure consideration by a majority of appointed commissioners.

In order to allow time for everyone to make comments, we will limit public comments to two minutes per speaker. We understand you have important information to convey; thus, we strongly encourage you to submit written testimony before the hearing by emailing it to BPHEXE.BRDMEETING@CDCR.CA.GOV. Please note that any written testimony submitted is considered public comment, and so long as it is timely submitted (by 10:00 a.m. the day of the meeting), it will be considered before the commissioners vote. If you submit written comments, there is no need to repeat these comments orally at our meeting. Commissioners review written comments before deliberating and voting on all issues pending before the Board.

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinators at (916) 445-4490 or (916) 319-9674, at least five (5) working days prior to the scheduled meeting.

OPEN SESSION

(All times and the order of business are approximate and subject to change)

START TIME: 1:00 p.m.

Video: <https://tinyurl.com/BPHSept2022>

Call in number: (916) 701-9994

Phone Conference ID Code: 520 739 063#

MEETING CALLED TO ORDER

1. Roll Call

EN BANC PANEL FOR SEPTEMBER 19, 2022 CASES

The following commissioners are anticipated to participate in public comment, deliberations, and voting on items 2 through 12.

- Commissioner Barton
- Commissioner Cassady
- Commissioner Chappell
- Commissioner Dobbs
- Commissioner Garland
- Commissioner Kozel

- Commissioner Nwajei
- Commissioner Ruff
- Commissioner Sharrieff
- Commissioner Sullivan
- Commissioner Taira
- Commissioner Weiss

EN BANC REFERRALS

Referral by the Chief Counsel pursuant to Penal Code section 3041, subdivision (b) and California Code of Regulations, title 15, section 2042 to assure complete, accurate, consistent and uniform decisions and the furtherance of public safety. Members of the public may address the Board for a period not to exceed two (2) minutes.

2. **ESCARENO, ROBERT (H83031)**

Sentencing Court: Los Angeles

The board to consider new information dated August 10, 2022, regarding an alleged error of fact concerning a March 9, 2015 confidential memorandum.

3. **PARKER, CLAUDE (C43364)**

Sentencing Court: Los Angeles

The board to consider new confidential information dated August 24, 2022.

4. **REYES, RICHARD (AK5503)**

Sentencing Court: Santa Barbara

The board to consider new confidential information dated September 2, 2022.

5. **ROSS, DAMON (H11432)**

Sentencing Court: Los Angeles

The board to consider new confidential information dated June 20, 2022.

Referral by the Governor pursuant to Penal Code section 3041.1 and California Code of Regulations, title 15, section 2044, subdivision (b), to request review of a parole decision by a majority of appointed commissioners. Members of the public may address the Board for a period not to exceed two (2) minutes.

6. **CALLES, BRYAN (AD8763)**

Sentencing Court: Los Angeles

7. **DAILEY, JAMES (T32925)**

Sentencing Court: San Diego

8. **ENNIS, JUSTIN (G61612)**

Sentencing Court: Kern

9. **JOHNSON, LARRY (T33730)**

Sentencing Court: Alameda

10. **MORA, OSCAR (H50403)**

Sentencing Court: Los Angeles

11. **PARADA, LUIS (V24893)**

Sentencing Court: Riverside

12. **PAYTON, DESMOND (H87035)**

Sentencing Court: San Diego

OPEN COMMENTS MOVE TO END IF NO REPORTS

13. BPH Commissioners – Agenda Items for Future Meetings

14. Public Comment – Comments are limited to two (2) minutes. Comments will not be allowed for items already subject to public comment and decided by the Board. The Board will not consider comments about future parole hearings. Those comments should be sent to the prison where the inmate is housed so that they can be considered by the panel assigned to the case.

MEETING RECESSED



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

MONDAY, SEPTEMBER 19, 2022

CLOSED SESSION

(All times and the order of business are approximate and subject to change)

START TIME: Upon Recess of Open Session

Discussion

En Banc Referrals

Pursuant to Government Code section 11126(c)(4)

(" . . . [N]or shall anything in this article be construed to prevent a state body from holding a closed session when considering and acting upon the determination of a term, parole, or release of any individual or other disposition of an individual case, or if public disclosure of the subjects under discussion or consideration is expressly prohibited by statute.")

MEETING RECESSED TO TUESDAY, SEPTEMBER 20, 2022



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

TUESDAY, SEPTEMBER 20, 2022

BPH Agenda Webpage: <https://www.cdcr.ca.gov/bph/meeting-agenda/>

NOTICE OF VIRTUAL MEETING

Pursuant to Senate Bill 189, which became effective on June 30, 2022, the Board of Parole Hearings has arranged for Board commissioners, interested parties, and members of the public to participate virtually in the September 19 and 20, 2022 Executive Board Meeting. **There will be no option to attend the meeting physically in person.**

To ensure successful participation in the meeting, members of the public are encouraged to go to the Board's webpage at <https://www.cdcr.ca.gov/bph/meeting-agenda/> and review the documents titled "Public Comment Videoconference Tips for Success and Troubleshooting" and "How to Join a MS Teams Executive Board Meeting."

To join the meeting by video, use a computer or mobile device to access this link: <https://tinyurl.com/BPHSept2022>. The Board utilizes Microsoft Teams for virtual participation, which may require the user to download the application. Participants should refer to the "How to Join a MS Teams Executive Board Meeting" document on the Board's agenda webpage for further instructions. **TO MINIMIZE DISRUPTION, PLEASE LOG INTO THE MEETING AT LEAST FIVE (5) MINUTES EARLY.**

To join the meeting by telephone, dial (916) 701-9994 and enter the following phone conference ID code when prompted: 520 739 063#

Those wishing to speak are encouraged to complete and submit a speaker card before the meeting to Sylvia.Paredes@cdcr.ca.gov. The speaker card is available on the Board's website at <https://www.cdcr.ca.gov/bph/meeting-agenda/>. You may also call (916) 322-4752 to register your speaker information. If the telephone number goes to voicemail, please leave the information on the recording so the

moderator may appropriately identify you when it is your time to speak. You may submit the speaker card any time after this agenda is posted.

Public comment may also be submitted in writing and should be emailed to BPHEXE.BRDMEETING@cdcr.ca.gov. Written comments for the consent calendar and the discussion item (agenda item 22) must be received by 5:00 p.m. on September 19, 2022. Written comments for en banc cases to be heard September 20, 2022, must be received by 10:00 a.m. on September 20, 2022, to ensure consideration by a majority of appointed commissioners.

In order to allow time for everyone to make comments, we will limit public comments to two minutes per speaker. We understand you have important information to convey; thus, we strongly encourage you to submit written testimony before the hearing by emailing it to BPHEXE.BRDMEETING@CDCR.CA.GOV. Please note that any written testimony submitted is considered public comment, and so long as it is timely submitted (as outlined above), it will be considered before the commissioners vote. If you submit written comments, there is no need to repeat these comments orally at our meeting. Commissioners review written comments before deliberating and voting on all issues pending before the Board.

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinators at (916) 445-4490 or (916) 319-9674, at least five (5) working days prior to the scheduled meeting.

OPEN SESSION

(All times and the order of business are approximate and subject to change)

START TIME: 9:00 a.m.

Video: <https://tinyurl.com/BPHSept2022>

Call in number: (916) 701-9994

Phone Conference ID Code: 520 739 063#

MEETING RECONVENED (continued from September 19, 2022)

15. Roll Call

CONSENT CALENDAR

16. Approval of the Draft Minutes from the August 16, 2022 Board of Parole Hearings Executive Board Meeting.

17. Approval of the Parole Suitability Hearings and Backlog Report for September 2022.

18. Approval of Motion for Hearings with Procedural Errors: No motions to consider.

19. Public Comment – Comments are limited to a maximum of two (2) minutes. Comments will not be allowed for items already subject to public comment and decided by the Board. The Board will not consider comments about future parole hearings. Those comments should be sent to the prison where the inmate is housed so that they can be considered by the panel assigned to the case.

REPORTS

20. Report from Executive Officer
- National Judicial College
 - Commissioner Update
21. Report from Office of Victim and Survivor Rights and Services
- General Update

DISCUSSION ITEM

22. a) BPH RN 22-01 Regular Rulemaking for Videoconference Regulations, presented by Mina Choi, Senior Staff Attorney
b) Board Questions and Comments
c) Public Comments – Comments are limited to two (2) minutes.
d) Motion and Votes

OPEN COMMENTS

23. BPH Commissioners – Agenda Items for Future Meetings
24. Public Comment – Comments are limited to two (2) minutes. Comments will not be allowed for items already subject to public comment and decided by the Board. The Board will not consider comments about future parole hearings. Those comments should be sent to the prison where the inmate is housed so that they can be considered by the panel assigned to the case.

EN BANC PANEL FOR SEPTEMBER 20, 2022 CASES

The following commissioners are anticipated to participate in public comment, deliberations, and voting on items 25 through 32.

- Commissioner Barton
- Commissioner Dobbs
- Commissioner Garcia
- Commissioner Garland
- Commissioner Ndudim
- Commissioner Nwajei
- Commissioner O'Meara
- Commissioner Purcell

- Commissioner Ruff
- Commissioner Sharrieff
- Commissioner Thornton
- Commissioner Weiss

EN BANC REFERRALS

Referral by the Governor pursuant to Penal Code section 3041.1 and California Code of Regulations, title 15, section 2044, subdivision (b), to request review of a parole decision by a majority of appointed commissioners. Members of the public may address the Board for a period not to exceed two (2) minutes.

25. ARMENDARIZ, MATHEW (AR7634)

Sentencing Court: Los Angeles

26. CLARK, CRAIG (V07082)

Sentencing Court: Santa Barbara

27. FLOWERS, RICHARD (C64959)

Sentencing Court: Tulare

28. HARRIS, CAROL (WE5307)

Sentencing Court: Stanislaus

29. MARTIN, NICOLAS (J33043)

Sentencing Court: Los Angeles

30. MCNEAL, RODNEY (P80613)

Sentencing Court: San Bernardino

31. RICHIE, BRYAN (T57866)

Sentencing Court: Los Angeles

32. RODRIGUEZ, GILBERT (AL6164)

Sentencing Court: Ventura

MEETING RECESSED



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

TUESDAY, SEPTEMBER 20, 2022

CLOSED SESSION

(All times and the order of business are approximate and subject to change)

START TIME: Upon Recess of Open Session

Discussion

En Banc Referrals

Pursuant to Government Code section 11126(c)(4)

(" . . . [N]or shall anything in this article be construed to prevent a state body from holding a closed session when considering and acting upon the determination of a term, parole, or release of any individual or other disposition of an individual case, or if public disclosure of the subjects under discussion or consideration is expressly prohibited by statute.")



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

TUESDAY, SEPTEMBER 20, 2022

OPEN SESSION

(All times and the order of business are approximate and subject to change)

START TIME: Upon Completion of Closed Session

Video: <https://tinyurl.com/BPHSept2022>

Call in number: (916) 701-9994

Phone Conference ID Code: 520 739 063#

ADJOURNMENT

Open session called to adjourn the September 19 and 20, 2022 Board of Parole Hearings Executive Board Meeting.